



Atty. Dkt. No. 029318-0109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bosch et al.

Title: DRY POWDER AEROSOLS OF
NANOPARTICULATE DRUGS

Appl. No.: 09/190,138

Filing Date: 11/12/1998

Examiner: T. Ware

Art Unit: 1615

TECH CENTER 1600/2900

AUG 15 2002

RECEIVED

1615
#25
JRP
8/19/02

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated February 11, 2002, rejecting Claims 11-36, 40-45, 47-49, and 51-119.

- ☐ Applicant claims small entity status.
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ Notice of Appeal Fee
- ☒ To be paid as detailed below
- ☐ Not required (Fee paid in prior appeal)

08/14/2002 AWONDAF1 00000130 09190138

01 FC:119

320.00 OP

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$320.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$920.00
<input checked="" type="checkbox"/>	Extension Already Obtained for second month:	\$400.00
	FEE TOTAL:	\$840.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$840.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$840.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$840.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date August 12, 2002

FOLEY & LARDNER
 Washington Harbour
 3000 K Street, N.W., Suite 500
 Washington, D.C. 20007-5143
 Telephone: (202) 672-5538
 Facsimile: (202) 672-5399

By Jayne A. Huleatt
 Michele M. Simkin *Reg. No. 34,185*
 Attorney for Applicant
 Registration No. 34,717